

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Attorney Docket No. 112025-0073C2

First Inventor Frederick Eldin Niemi

Title SYSTEM FOR CHARACTERIZING INFORMATION FROM AN
INFORMATION PRODUCER

Express Mail Label No EL 705 607 233 US

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 15]
(preferred arrangement set forth below)
- Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Pages 2]
- a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐ Other:

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment,
or in an Application Data Sheet under 37 CFR 1.76.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No 09 / 660,689

Prior application information: Examiner Wiley, D.

Group / Art Unit. 2155

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied
under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

Name	A. Sidney Johnston				
Address	Cesari and McKenna 88 Black Falcon Avenue				
City	Boston	State	MA	Zip Code	02210
Country	U. S. A.	Telephone	(617) 951-2500	Fax	(617) 951-3927

Name (Print/Type)	A. Sidney Johnston	Registration No. (Attorney/Agent)	29,548
Signature		Date	December 12, 2001


Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any
comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark
Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for
Patents, Box Patent Application, Washington, DC 20231.

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Frederick Eldin Niemi
	Title	SYSTEM FOR CHARACTERIZING INFORMATION FROM AN INFORMATION PRODUCER
	Atty Docket Number	112025-0073C2

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 12, 2001

Date


Signature

A. Sidney Johnston, Reg. No 29,548

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)	
Frederick Eldin Niemi)	
)	
Serial No.: Not yet assigned)	Examiner: Not yet assigned
)	
Filed: December 12, 2001)	
)	
For: SYSTEM FOR CHARACTERIZING)	Art Unit: Not yet assigned
INFORMATION FROM AN IN-)	
FORMATION PRODUCER)	
)	
		Cesari and McKenna, LLP
		88 Black Falcon Avenue
		Boston, MA 02210
		December 12, 2001

“Express Mail” Mailing-Label Number: EL 705 607 233 US

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

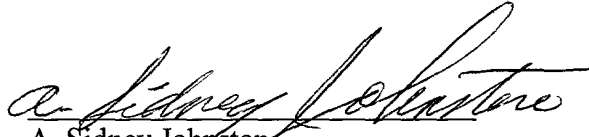
LETTER TO OFFICIAL DRAFTSMAN

If the Examiner in charge of the above-identified application approves, please substitute the enclosed drawing sheets containing formal versions of Figures 1-4C for the corresponding drawing sheets currently in the application.

Please charge any additional fee occasioned by this paper to our Deposit Account

No. 03-1237.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "A. Sidney Johnston", written over a horizontal line.

A. Sidney Johnston

Reg. No. 29,548

CESARI AND MCKENNA, LLP

88 Black Falcon Avenue

Boston, MA 02210-2414

(617) 951-2500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)	
Frederick Eldin Niemi)	
)	
Serial No.: Not yet assigned)	Examiner: Not yet assigned
)	
Filed: December 12, 2001)	
)	Art Unit: Not yet assigned
For: SYSTEM FOR CHARACTERIZING)	
INFORMATION FROM AN IN-)	
FORMATION PRODUCER)	
)	
		Cesari and McKenna, LLP
		88 Black Falcon Avenue
		Boston, MA 02210
		December 12, 2001

EXPRESS-MAIL DEPOSIT

“Express Mail” Mailing-Label Number: EL 705 607 233 US

The following papers are being deposited with the United States Postal Service
“Express Mail Post Office to Addressee” service pursuant to 37 C.F.R. §1.10:

<u>X</u> Patent Application (15 pages including 21 claims)	
<u>X</u> Oath or Declaration (copy from parent)	<u>X</u> Fee Transmittal Letter
<u>X</u> Utility Patent Application Transmittal	<u>X</u> Formal Drawing (3 sheets)
Letter	
<u>X</u> Check for \$1514	<u>X</u> Letter to Official Draftsman
<u>X</u> Request for Non-Publication	

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

Complete if Known

Application Number	Not yet assigned
Filing Date	December 12, 2001
First Named Inventor	Frederick Eldin Niemi
Examiner Name	Not yet assigned
Group Art Unit	Not yet assigned
Attorney Docket No.	112025-0073C2

TOTAL AMOUNT OF PAYMENT (\$) 1,514

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 03-1237

Deposit Account Name Cesari and McKenna, LLP

☒ Charge Any Additional Fee Required Under 37 C.F.R. §§1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Fee Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English Specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	128	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility Issue fee (or reissue)	
143	460	243	230	Design Issue fee	
144	620	244	310	Plant Issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3)				(\$)	0

*Reduced by Basic Filing Fee Paid

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	740

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
21	20**	1	18
Independent Claims	12	3**	9
Multiple Dependent			0

Large Entity		Small Entity		Fee Description	
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	774

**or number previously paid, if greater, For Reissues, see below

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	A. Sidney Johnston	Registration No. (Attorney/Agent)	29,548	Telephone	(617) 951-2500
Signature	<i>A. Sidney Johnston</i>			Date	December 12, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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